

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

JOHN STEVEN MARTIN,

Civil No. 22-872 (JRT/JFD)

Petitioner,

v.

ORDER

WARDEN BRIAN COLLINS,

Respondent.

John Steven Martin, OID# 202874, MCF Moose Lake, 1000 Lake Shore Drive, Moose Lake, MN 55767, *pro se* petitioner.

Edwin William Stockmeyer, III, **OFFICE OF THE MINNESOTA ATTORNEY GENERAL**, Trials and Appeals, Bremer Tower, Suite 1800, 445 Minnesota Street, St. Paul, MN 55101-2134, for respondent.

John Steven Martin filed a Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2254 (ECF No. 1), Motion for “Amicus Curiae” and to Amend Submission of Proof of Enrollment to the Fond du Lac Reservation (ECF No. 8), and Motion to Amend Brief (ECF No. 14). A Report and Recommendation was issued on September 23, 2022 (ECF No. 17). No party filed objections to the Report and Recommendation within the time period permitted.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The Report and Recommendation (ECF No. 17) is **ADOPTED**.
2. Mr. Martin’s Petition for a Writ of Habeas Corpus (ECF No. 1) is **DENIED**;

3. Mr. Martin's Motion for "Amicus Curiae" and to Amend Submission of Proof of Enrollment to the Fond du Lac Reservation (ECF No. 8) is **DENIED AS MOOT**;
4. Mr. Martin's Motion to Amend Brief (ECF No. 14) is **GRANTED**;
5. This matter is **DISMISSED WITH PREJUDICE**; and
6. No certificate of appealability shall be granted.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 13, 2022
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge